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Notice of Hearing

NOTICE OF HEARING

DOCKET NO. 2016-003 CAUSE NO. S/037/0123
BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER:

NOTICE IS HEREBY GIVEN that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, FEBRUARY 24, 2016, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah. The hearing will be streamed live on the Department of Natural Resources YouTube channel at <https://youtu.be/bVvvvz-2Fmo>.

THE HEARING WILL BE CONDUCTED as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-8-1 et seq., and Utah Code Ann. § 63G-4-101 through 601.

DOCKET NO. 2016-003 CAUSE NO. S/037/0123 – In the matter of: reclamation at an unnamed, unpermitted mine, known by the Division as the Limestone mine, file no. S/037/0123, operated by MONUMENT RESOURCES, L.L.C., located in the west ½ of Section 6, Township 42 South, Range 19 East, Salt Lake Base and Meridian, in San Juan County, Utah.

THE PURPOSE OF THE PROCEEDING will be for the Board to receive testimony and evidence regarding a Notice of Agency Action requesting that the Board take the following actions:

1. Find that Monument Resources has failed or refused to conduct reclamation of the Limestone mine (the Mine), located in the west ½ of Section 6, Township 42 South, Range 19 East, in San Juan County, Utah;
2. Order the Division to conduct reclamation of the Mine under Utah Administrative Code Rule 647-3-112;
3. Request that the Attorney General recover the costs and expenses of reclamation, including attorney's fees, in a civil action against Monument Resources under Utah Administrative Code Rule 647-3-112;
4. Request that the Attorney General and the Division seek civil penalties of \$22,500 in a civil action under Utah Code § 40-8-9.1(4); and
5. Grant such other equitable relief as may be just and reasonable based on the evidence and arguments provided at the hearing.

Objections to the Notice of Agency Action must be filed with the Secretary of the Board at the address listed below no later than FEBRUARY 10, 2016. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Notice of Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <http://ogm.utah.gov/amr/boardtemp/redesign/books.html>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 26th day of January, 2016.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Ruland J. Gill, Jr., Chairman
/s/ Julie Ann Carter
Board Secretary
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

(801) 538-5277

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